

SOME SURPRISES

Senator Marshall of Hancock the Caucus Nominee

FOR PRESIDENT OF SENATE.

Senator Whitaker had telegraphed that owing to his private business affairs he could not afford to aspire to the position—a surprise in the House Democratic Caucus. Byrne, of Braxton, gets the clerkship—Meeting of Legislature to-day anxiously looked forward to. Democrats may violate precedents as to temporary presiding officer.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 10.—The organization of the senate was decided upon at the caucus of the Republican senators late to-night by the choice of Senator Marshall for president; John T. Harris for clerk, and C. W. Swisher, of Marion, for sergeant-at-arms.

The unlooked for happened this morning, when Senator Whitaker telegraphed while en route to Charleston, that he could not accept the presidency of the senate, but the matter was not made public until this evening.

The senator on his arrival confirmed the report. His reasons are understood to be that, owing to his private business affairs, he did not feel that he could aspire to the position, besides he was not desirous of the position. Mr. Whitaker's declaration was disappointing to his friends, but it cleared the field for Mr. Marshall, and he was accordingly chosen. Mr. Whitaker will be content to remain as a private in the ranks on the floor of the senate, and will be a force as a leader, as he has been heretofore.

The Democrats here have agreed to make it appear Mr. Whitaker was forced out of the contest, but the fact is up to this evening before his withdrawal was made known he had a clear majority for the presidency, and could have had it.

Everything in Republican ranks to-night is working harmoniously and to-morrow the session will open with a united party.

There seems to be considerable dissatisfaction in the Democracy over the result of the house caucus to-night, excepting in the case of Mr. McKinney for speaker, who had practically no opposition.

The Ohio county here is enjoying it. Wars and rumors of wars are not disturbing them a little bit. They work together in loving harmony, and everything moves along smoothly. No call for a senatorial caucus has yet been issued. The organization of the legislature is the first thing in order, together with the settlement of disputed questions. After that will come the contest for honors on both sides. G. A. D.

DEMOCRATIC CAUCUS.

A Surprise in the House Clerkship. McKinney for Speaker.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 10.—The Democratic house caucus decided on Owen S. McKinney for speaker; W. E. R. Byrne, of Braxton, for clerk, and E. H. Morton, of Webster county, for sergeant-at-arms.

The selection of Will Byrne, of Braxton county, for clerk of the house, is really a victory for Colonel Peyton, as it is understood that Peyton will be the real clerk and get the bulk of the emoluments in the shape of the perquisites of the clerkship, which amount to considerable.

The Republican house caucus named Delegate Cutright for speaker, and C. E. Hood for clerk. This is an empty honor, but an honor just the same.

ANXIOUSLY AWAITED.

The Meeting of the Legislature To-day—Democrats May Violate Precedents.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 10.—Everybody is looking forward to the meeting of the legislature to-morrow, with a feeling of uncertainty as to the outcome. The senate of course will be organized by the Republicans, and there will be comparatively smooth sailing outside the contests which will be filled and brought before the senate.

In the house the situation will be somewhat mixed, though the Democrats will organize the body. The contests involving so much that is significant are to come, but it is possible that at the outset there may be some trouble over the temporary organization, the cause being that dispute as to who should have precedence in the matter of temporary presiding officer. According to precedent Byrd Hill, of Monroe county, should preside over the house organization. He is a three term member, the oldest in point of service. The Democrats may contend that the constitution refers to the oldest member in years and not in point of service, and urge the proposition to put a member of their party in the chair in the temporary organization. This would be contrary to precedent, and will, if it occurs, provoke a lively tilt between the two parties.

Republicans do not deny the Democrats a majority, and the right to organization. G. A. D.

SENATORIAL SITUATION.

Strong Opposition to McGraw Develops—Absurd Attacks on Scott.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 10.—The senatorial caucus on the Democratic side is more involved than it has been heretofore. Stronger opposition to Col. McGraw than was expected has developed, and to-day his stock was not as high as last night. All his well known generosity has been taken to keep his men in line. There have been goings on in the outside of the McGraw headquarters which are plainly significant of the developments that may follow, though McGraw continues to wear his characteristic cheerful smile, and does not show much apprehension.

Ex-Governor Wilson, General Watts and some others began to get in their work yesterday and to-day, and have gathered in some who are against the state organization. Whether these gentlemen will be gathered into the fold or not remains to be seen. It is stated that some possible absentees from the

senatorial caucus are prospective developments.

On the Republican side the contest remains friendly, and there is little or no feeling. Governor Atkinson reiterated to me this evening his confidence in the outcome favorable to him, and Mr. Scott is likewise confident.

A feature of the Republican situation is found in the daily vilification of Commissioner Scott by the Herald, a pretended Republican paper here, the publisher of which is an Ohio man, and is not even a voter in West Virginia. Nothing is so absurdly ridiculous or false against Mr. Scott to find its place in the columns of the Herald. The result is that everybody is thoroughly disgusted, and many Democrats are denouncing the disgraceful assaults. One of the charges is that he is opposed to union labor, that he is a conscienceless Cripple Creek speculator and other things too numerous to mention.

UNITED MINE WORKERS.

Entire Time of Convention Taken Up With Discussion of Charges of Unfairness of the Administration Faction.

PITTSBURGH, Pa., Jan. 10.—The bitter wrangle over the appointment of the credentials committee, which occupied the entire session of the national convention of United Mine Workers yesterday, was renewed immediately upon the opening of the convention to-day. Charges of unfairness were freely made by the anti-administration faction, and these accusations were promptly denied by President Ratchford, acting president Mitchell and Secretary-Treasurer Pearce.

When the session was called to order, Chairman Keenan, of the committee on credentials, reported that all the delegates entitled to representation had been seated, and that a number had not fully complied with the constitution. Before the report could be adopted, however, ex-President McBride created a stir by announcing that the Ohio delegation had decided to withdraw all candidates for office from that state, and that they would refuse to serve on any committee until a thorough investigation had been made. This was done, he said, because the Ohioans saw that outsiders were seeking to delay matters in order to secure election of their own candidates. This reopened the discussion, and Patrick Dolan, Pennsylvania's candidate for president, said that he was willing to withdraw his name from the list of candidates and leave a clear field to the book readers.

T. L. Lewis, of Ohio, said that yesterday he was looked upon as a candidate. To-day he was a delegate. He alleged that the united officers had used their influence in favor of certain candidates for office and that the funds of the miners had been used for electioneering purposes. He said that he would make these charges in writing and was prepared to prove all his allegations.

Acting President Mitchell said the charges were made without proofs and denied that the organization had been used in his behalf. The charges, he said, were unavailing.

He was followed by President Ryan, of Illinois, who caused some excitement by offering to donate \$100 to the organization if the charges were proved.

Dolan said he obtained his information from Edward McKelvey at Columbus, before the convention last year. The report of the credentials committee was then taken up. It showed 627 delegates divided as follows: Pennsylvania, 78; Illinois, 242; Ohio, 142; Indiana, 68; Indian Territory, 9; Arkansas, 10; Kansas, 10; Michigan, 1; West Virginia, 6; Tennessee, Iowa, 20; Kentucky, 19; Alabama, 24.

The afternoon session nothing was done, the time being devoted to addresses by several labor leaders until adjournment. The committee on investigation will be in session during the greater part of the night and is expected to report to-morrow.

After adjournment the Ohio delegation held a conference and decided to contest to-morrow the right of President Ratchford to hold office on the ground that he is a member of the national industrial commission, and cannot therefore comply with section 2, article 2, of the constitution which requires the president to devote his time and attention to the interests of the union.

The springing of this subject is expected to precipitate another heated wrangle. The appointment of the industrial committee is considered a victory by the anti-administration faction.

THE EXPANSION POLICY

Receives the Eloquent Endorsement of Postmaster General Smith.

PHILADELPHIA, Pa., Jan. 10.—Postmaster General Emory Smith addressed the Contemporary Club to-night on "The future of American foreign politics." His speech was an eloquent endorsement of the expansion policy. He argued that this country has precisely the same right to acquire islands in the Pacific that belongs to every other nation, and that in doing so it does not trespass upon any other province or transgress any just rule of conduct. The Monroe doctrine is not affected, declared the speaker, adding: "We are in the Philippines and there we shall stay if the deliberate judgment of the American people deems it best; we have upheld the Monroe doctrine for three-quarters of a century and we shall continue to uphold it all time to come. Its vitality and validity have rested on our determination to maintain it, and upon the unwillingness of any European power to come into conflict with us over it, and it will be just as vital and valid with the same life blood of efficiency in the future as in the past."

The postmaster general said the difficulties raised by opponents of the policy are artificial, not inherent in the situation, but created by theories. Among them, he said: "Nothing could be more illogical than to say that our flag should not remain in the Philippines because the people are unfitted to come under American control and then to say that we ought not to undertake to control them because they are entitled to self government. How can they be unfitted for American rule and yet fitted to uphold it themselves? If American rule remains they will have practical self government."

"What alternative was practicable? To turn the Philippines back to Spain would have reopened bloody revolution and shocked mankind. No opponent of the treaty or of expansion has been brave enough to propose such a thing. To turn them over to any other power would have involved jealous protest and precipitated inevitable conflict among great rival nations, besides exceeding any possible right or warrant on our part. To hand them over to the Philippines would have been to unchain the forces of anarchy and open the door to the strongest mailed hand from outside. There are able men who question the treaty and oppose expansion, but there is the critic or the objector who offers any other distinct and definite, not to say reasonable and tenable solution of the problem we had before us?"

MASON'S SPEECH

In the Senate Draws Applause From the Galleries.

SUPPORTING HIS RESOLUTION

Declaring that the United States will Never Attempt to Govern the People of Any Country Without their Consent he Launches Into an Exhaustive Discussion of the Philippine Question—Said to Have Been One of the Most Notable Utterances thus far on the Subject.

WASHINGTON, D. C., Jan. 10.—Senator Mason, of Illinois, occupied the attention of the senate for nearly an hour and a half to-day with a speech in support of his resolution declaring that the United States will never attempt to govern the people of any country without their consent. In many respects, the speech was one of the most notable utterances in the senate thus far this season. Rugged in language, pointed and effective in illustration, Mr. Mason commanded the attention of the senate and of the galleries from the first sentence of his speech to the sentence referring to liberty which formed his peroration. Several times spontaneous applause swept over the galleries, but under the stringent rules in the senate it was quelled quickly. It was several minutes after the conclusion of the speech before the senate could proceed with its business on account of the confusion incident to the congratulations which Mr. Mason's companions hastened to extend to him. "It is easy to drift with the tide," began Mr. Mason, "but it is not always safe. The simple resolution I have introduced has nothing necessarily to do with any treaty, nor do I intend to speak of any proposed treaty. "The resolution does not involve a question of law, but is a question as to the future policy of this government. I am willing to trust the people, and I want the people to hear both sides of the case before the verdict is reached. "Distinguished editors and statesmen say the Republican party favors governing certain nations without the consent of its people. Who dares speak in advance for the party that speaks only in its convention? That party sprang like a young giant from the womb of conscience, and made its first fight for human liberty. It has never bowed to the storm of expediency, and I may be allowed to prophesy, I predict that the delegates will go in again, and the rafters will ring again and again when they demand the same independence for the citizen of the Philippines as they did two years ago for Cuba.

Speaking for Both.

"Do you say I am speaking for the Philippines? Yes, one word for them and two for ourselves. A black man said to a senator the other day: 'I thank you for speaking of my race,' and the senator replied: 'I am speaking one word for your race and two for my own; nothing ever dwarfed the white race so much as stooping for a hundred years to keep the black man down.' I may as well speak one word for the Philippines, and two for my own people when I plead for the broad manhood of the man who wrote 'all just powers of government are derived from the consent of the governed.' You cannot govern the Philippines without taxing them, you have not yet their consent, and the proposition of taxation without representation is made again. Look out for tea parties—those little semi-social functions are likely to break out even there, for 'Hail Columbia' and 'Yankee Doodle' have been heard in the archipelago.

"We may talk of it as we please, but there is nothing that satisfies the human mind in an act of tyranny until a man is governed by his own country and the constitution of his own government. "We are now asked to say to the citizens of the Philippine Islands: 'You poor, ignorant creatures, you can't govern yourselves, we will extend our consent to you, and we will do it for you. You don't know how to tax yourselves, and in order that we may continue to exercise our Christian duty to you we will prevent your exercising sovereignty—we will exercise that function ourselves.' "Mr. President, they will never learn to govern themselves while we govern them. There is no such thing as teaching the art of self-government. For over one hundred years every lover of liberty has pointed to this sentence within this resolution, 'that all just powers of government are derived from the consent of the governed,' as a reason for their fight for liberty. This sentence has been a pillar of fire by night, and has stirred the hearts of the oppressed all over the world. In the light of this sentence crowns have fallen into dust and the foundation of republics has been laid. You ask for expansion. See how we have expanded for the time since this sentence was written. Not only have republics started up in place of monarchies, but monarchies have themselves gradually broadened into constitutional governments, getting nearer and nearer to the voice of the people.

First Great Republic.

"Our own was the first great republic, and in the better and broader sense our flag floats from the dome of every republic. From Brazil to Nicaragua and Venezuela, the brave little flag is floating. It may not be striped nor starred like our own, but it is born of the spirit of our spirit, wherever it floats, and it breathes defiance to the monarchies of the world, because our flag is our sky and because the Monroe doctrine is written forever in the hearts of the people. "The other day, when the distinguished senator from Massachusetts (Mr. Hoar) asked the senator from Connecticut (Mr. Platt), what he was going to do with this sentence, that 'all just powers of government are derived from the consent of the governed,' he answered: 'from the consent of some of the governed.' "Mr. President, when any great cause which is agitating the minds of the people needs for its defense such shallow and un-American evasions as this, that cause will not live long in the minds of the American people. We cannot amend that sentence now, and when we all shall have forgotten that sentence, we will live and continue to burn, a menace to tyrants and a beacon of hope to the downtrodden and oppressed.

"The Filipino is begging to treat with us as to his own land; he acknowledges commercial treaty; there is no honest nation could ask that they are willing to consent to. They want liberty; we have heard their cry for mercy and in we did; when seventy million of people have heard their cry for mercy and independence the father in New England will plead for the father in Manila; the mother in Illinois will pray for the poor mother in the islands of the sea; the fathers will vote as the mothers pray; the poisoned views of selfishness will have had its run, and God help the party that urges war on the native who defends only his liberties and his home. Mr. President, here we got to fight and plead for these people as we did for Cuba? Are we to hear Aguinaldo and his followers called robbers and cut-throats as we heard of the brave Garcia and his brave followers within the last twelve months in this chamber? Why not make them our friends forever, instead of our enemies?"

A SILLY CRITICISM

Made on Representative Dayton's Action in Connection with the Consideration of the Alaskan Criminal Code.

Special Dispatch to the Intelligencer.

WASHINGTON, D. C., Jan. 10.—The fact that Representative Dayton, of the Second West Virginia district, has been criticised because of his alleged approval of a certain provision in the criminal code now before Congress for adoption to Alaska, was brought to that gentleman's attention this evening. His comment was that his political enemies must be hard pressed for material with which to manufacture an assault upon his record.

"The fact is, as any one may know by inquiring," said Mr. Dayton, "that no member of the committee having the Alaskan bill in charge has anything to do with preparing the code of laws for Alaska. Our duty was to take the law as prepared, and see that the phraseology is made consistent with the conditions the law is to subserve. The judiciary committee, or the house itself, may make changes in the code."

"How and by whom was the codification made?"

"Well, a committee or commission, of which Judge Culbertson was a member, was appointed to adapt the criminal code of Oregon to the territory of Alaska. The codification embraced in that committee's report was referred to the committee of which I am a member, and it became the duty of that committee to present it to the house, after seeing that Alaska was substituted for Oregon and making other such changes as the matter and otherwise as required. I did not vote for the provision to which reference has been made as being inimical to the interest of labor, and the man who criticised me might have learned as much, and more, had he taken the trouble to inquire into the matter. No, I do not care to discuss the matter further. I have nothing to fear from misrepresentation."

Mr. Dayton said to-night that he believed it possible to dispose of the Alaska code to-morrow. He was booked for an appointment to-night for consideration of the "personnel bill," which will probably be presented for the consideration of the committee on naval affairs to-morrow or next day.

Washington Personals.

Special Dispatch to the Intelligencer. WASHINGTON, D. C., Jan. 10.—Representative Davenport was detained at the capitol till a late hour this evening by a protracted session of the rivers and harbors committee. The members of the committee are hard at work on the bill, which, it is hoped, will be ready for consideration by the 26th instant, or earlier.

Representative and Mrs. Davenport were among the guests at the President's reception to-night.

Senator and Mrs. Evans attended a dinner at the White House last night.

Messrs. T. W. and A. H. Fleming came in to-day from Fairmont. Both expect to go on to Baltimore to-morrow.

To Honor Heroes.

WASHINGTON, Jan. 10.—Representative Stallings, of Alabama, to-day introduced for General Wheeler, a bill providing that officers of the regular army who served with distinction during the war with Spain, shall, when retired, be given the highest rank held by him in the volunteer service. Also a bill providing that the distinctive badges adopted by the military societies of men who served in the army or navy during the war with Spain may be worn upon all occasions of ceremony by persons who are members of such organizations in their own right or by inheritance.

Dingley's Condition Unchanged.

WASHINGTON, D. C., Jan. 10.—No material change has been reported in the condition of Representative Dingley to-day. He has been a trifle more comfortable and there has been a very slight abatement of the nervousness which was so severe yesterday. About the best that can be said is that he is not appreciably worse. At 10 o'clock to-night one of his sons made the following statement: "Mr. Dingley is holding his own and resting quietly. Pulse good. Doctors expressed themselves more hopeful."

Three Railroaders Killed.

COUNCIL BLUFFS, Iowa, Jan. 10.—Two freight trains on the Rock Island road collided about five miles east of this city at an early hour this morning, resulting in the instant death of Engineer J. W. Taylor and Fireman John Caldwell, of the regular freight. All the killed reside at Valley Junction. The extra should have been side-tracked for the regular but failed to do so.

Pope Was Chagrined.

LONDON, Jan. 11.—The Home correspondent of the Daily Telegraph says: "Archbishop Ireland is coming to Rome to explain his conduct during the Hispano-American war. The influence he was supposed to possess with President McKinley led the Vatican to take certain steps which proved abortive, to the great chagrin of the pope."

A Savage Duel.

VIENNA, Jan. 10.—Deputy Zeyk and Deputy Rakawsky, of the lower chamber of the Hungarian diet, fought a duel this morning. The latter's face was cut open from his mouth to his ear, and he attended the chamber to-day heavily bandaged, only his eyes and nose being visible.

Kingwood Failures.

Special Dispatch to the Intelligencer. KINGWOOD, W. Va., Jan. 10.—F. M. Shook, merchant, of Roanokeburg, made an assignment for the benefit of creditors yesterday. The store of James E. Murdock, of Kingwood, West Virginia, was closed for debts this morning.

Senator Lodge Re-elected.

BOSTON, Mass., Jan. 10.—Hon. Henry Cabot Lodge was unanimously re-elected United States senator by the Massachusetts legislature in joint convention to-day. The choice was made by acclamation.

VERY GRAVE MOVE

On the Part of Hong Kong Filipino Committee.

ALL CONNECTION SEVERED

With United States Consul Wildman. Writ Issued to Recover \$17,000. Claimed to have Been Deposited with him as Treasurer of the Independence Fund—Some Sensational Disclosures Promised—There is Some Anxiety Prevailing Among Washington Official Circles, Though no Apprehension is Felt.

HONG KONG, Jan. 10.—The Filipino committee here has broken off all relations with the United States consul, Wildman.

The committee to-day issued a writ in the supreme court to recover the sum of \$17,000, which the Filipinos claim to have deposited with Mr. Wildman as treasurer of the Filipino independence fund in June last. The members of the committee further allege that sensational disclosures are probable, showing, they add, that the American government recognized the Filipinos as belligerents by affording them assistance in arms and moral influence to co-operate against Spain, "thus endorsing the agreement made with Aguinaldo at Singapore in April."

SERIOUS SITUATION.

Washington Officials Are Anxiously Awaiting News From Otis.

WASHINGTON, D. C., Jan. 10.—Although nothing of an alarming nature has been received from Otis, there is no doubt that members of the administration view the situation as somewhat serious and are anxiously awaiting further news. No apprehension, however, is felt, as to the result of any collision, which might take place between United States forces now on the island and the natives, but the President is very anxious to avoid any encounter whatever. He feels certain that if the natives can be made to understand that this government comes to them in a most friendly and helpful spirit, there will be no further trouble, and so he has given instructions to General Miller that the utmost patience must be exercised and every reasonable request granted in order to avoid an open rupture. Members of the administration express the opinion that the delay in the ratification of the treaty of peace has contributed not a little to the belligerent spirit shown by the natives, and as soon as that has been disposed of it is believed that the recalcitrant element will accept it as a notice that the sovereignty of the islands has passed in fact to the United States and that no opposition to its taking formal possession will be tolerated.

At the cabinet meeting to-day the situation in the Philippines was gone over and some time was given to questions of administration in Cuba. It can be stated on authority that such news as has been received to-day from General Otis is rather reassuring than otherwise as to the situation in the Philippines and that he made no allusion to a hostile collision. He has been instructed to use gentleness in dealing with the insurgents and to advise and co-operate with Admiral Dewey. There is some reason to believe that the present situation may be protracted longer than would be naturally expected, and that there will be no open hostilities immediately, if at all. The question has arisen here as to the exact purpose to be served now in attempting to seize Iloilo. Originally it was intended to release the Spanish force there besieged, but by their evacuation of that place they have removed that incentive, and were it not for the false encouragement it would give the insurgents there is little doubt that the United States troops would not be moved against Iloilo. Meanwhile the navy is expected to draw a cordon around the island of Panay and also Luzon, should it be deemed necessary to do so, to prevent the further supply of arms and munitions of war to the insurgents. Probably the gunboats now there or en route will be reinforced by the Maclach and the Annapolis and Vicksburg.

IMPORTANT CONFERENCE

Between the Representatives of Aguinaldo and General Otis.

LONDON, Jan. 11.—The Manila correspondent of the Morning Post says: "There was an important conference last evening between authorized American and Filipino committees, at the instance of Aguinaldo. The latter appointed General Flores, Col. Aquilles and Senator Torres. Major General Otis appointed General Hughes, Col. Smith, of the California regiment, and Judge Advocate Crowder. General Otis said the purpose of the conference was a mutual understanding of the policies, aims and desires of the people of the United States and of the Philippines. There was a frank discussion."

GENERAL WOOD ARRIVES.

Says Disaffection at Santiago Amounts to Nothing.

NEW YORK, Jan. 10.—The United States transport Mississippi, which sailed from Santiago on the evening of January 4, arrived to-day. On board the transport were General Leonard Wood, military governor of Santiago, and Lieutenant Hanna, aide de camp; Dr. Castillo, a brother of the Cuban general, Castillo, and Colonel Gibson, who superintended the distribution of provisions to the starving Cubans.

General Wood, who was interviewed at a reception regarding the protest of the people of Santiago over the disposal of the funds of that province, said he did not care to talk on that matter before he visited Washington. There was some dissatisfaction, but nothing to amount to anything. When he left Santiago everything was in splendid shape, schools were being organized and ready to receive scholars, and nearly 1,000 miles of roads had been constructed in the provinces. The customs receipts were the largest ever collected and exceeded the amount collected and turned into the Spanish treasury. Funds were available for meeting the expense of the administration of the province and the only expense to the United States would be the cost of maintaining his army. The best of feeling prevailed and the general condition of things was all that could be desired. General Wood appeared to be in excellent health.

There were on board the transport ten army officers belonging to various

regiments, fifty-five discharged and convalescent soldiers and forty-four civilians, among this number being fourteen nurses. Four bodies were brought home on board the Mississippi. One of these bodies was that of Miss Helen Towers, a nurse who died recently at San Juan, P. R. Captain Stanton, the commander of the Mississippi, was left in the hospital at Santiago, suffering from pneumonia. He was taken sick on December 24, while at Ponce, and on reaching Santiago he was deemed prudent to send him aboard to the military hospital rather than risk his life on getting into cold weather aboard the transport. Chief Officer Hopkins was then placed in command of the vessel.

QUAY'S PETITION REFUSED

By the Supreme Court of Pennsylvania—The Case Now Goes Back to the Quarter Sessions Court.

PHILADELPHIA, Pa., Jan. 10.—The supreme court to-day in an opinion handed down by Chief Justice Sterrett dismissed the application in the Quay conspiracy case for a writ of certiorari and placed the costs on the petitioners. The petition of the defendants, United States Senator M. S. Quay, R. R. Quay, and Benjamin J. Haywood, averred that on account of political prejudices they were of the belief that they could not obtain a fair and impartial trial in the Philadelphia court of quarter sessions when the suit against them was instituted.

There was no dissenting opinion. The charge against the defendants is that of conspiracy with John S. Hopkins, the cashier of the People's Bank (who committed suicide in March last) in the misuse of state funds deposited in that bank. The defendants were placed under arrest in October last and as a result of a preliminary hearing entered bail for trial.

The court in its opinion holds that it has no authority to review the action of the court below on the demurrers and the motion to quash. The court says the only other contention of the petitioners that require notice is that they cannot have a fair and impartial trial in the court of quarter sessions of Philadelphia county, where the indictments are still pending on issues of fact raised by the defendants' pleas of "not guilty." On this point the court says: "We cannot assent to this proposition. On the contrary, we are satisfied that the petitioners can and will have a fair and impartial trial in that court before a competent and unprejudiced judge and a fair and impartial jury. If we thought otherwise, we would not hesitate a moment to send the indictment to another jurisdiction for trial."

"The learned judges who by virtue of their commissions as judges of the four separate common pleas courts of this county are judges of the courts of Oyer and Terminer and quarter sessions of the peace, etc., are twelve in number and sit in said courts in pursuance of previous assignment under the constitutional provision. Under the management of the judges who held the criminal courts in November last will probably not be required to sit therein for several months thereafter. Of the twelve judges who thus in turn hold the criminal courts, only two are subjects of complaint in the petition for the rule. One of these (Judge Gordon) resigned his commission and thus severed his connection with the common pleas courts before the petitioners filed their demurrers and motion to quash. As to what he is alleged to have done while he held his commission, it is difficult to say what, if any effect it may have in preventing or even tending to prevent the petitioners from having a fair and impartial trial before either of the other judges now in commission. The only apparent objections to the other learned judges (Finletter) who rightly took the place of his colleague when the latter resigned, are that he did not dispose of the demurrers and motion to quash in the manner that petitioners claim he should have done, and that he has a son who is a member of the bar and holds a position in the district attorney's office. These objections were unavailing for and require no comment further than to say that in his opinion overruling the demurrers and denying the motion to quash, he clearly and fearlessly stated his reasons for so doing and we see no reason whatever to question his integrity of purpose and he is too well known and too highly respected in this community and elsewhere to require any vindication at our hands."

"When the twelfth of December was agreed upon as the time for trial of the indictments it was well understood that other judges would hold the December sessions of the criminal courts before it would again come the turn of the learned president of common pleas No. 3 (Finletter) to serve in said courts. When the petition was presented and rule to show cause with stay of proceedings was granted on December 9, 1898, a speedy trial was in prospect on the following Monday before one of the learned judges then holding whom was not a subject of complaint, and we have no reason to doubt that fair and impartial juries could then and can now be empaneled for the trial of the several indictments."

"Without further reference to other features of the case, our conclusion is that there appears to be no sufficient reason to justify the issuance of a certiorari. The rule to show cause is therefore discharged and the petition is dismissed at the costs of the petitioners."

Iglesias' Reception.

LONDON, Jan. 10.—The ceremony with which Senor Rafael Iglesias, the president of Costa Rica has been received here is causing much speculation.

One paper says: "It is certainly unusual that our eminently haughty foreign office should extend a welcome to such minor potentates. The explanation is that Costa Rica has something to say in the Nicaragua canal and the president's official welcome was also to show that the Marquis of Salisbury does not mean to give the United States all its own way."

Movements of Steamships.

NEW YORK—Arrived: St. Paul, Southampton.

LIVERPOOL—Arrived: Sylvania, Boston.

BREMENHAVEN—Arrived: Kaiser Wilhelm der Grosse, New York.

MOBILE—Arrived: Anchorage, New York.

Weather Forecast for Today.

For Western Pennsylvania, fair, followed by snow; fresh to brisk northeast to east winds.

For West Virginia and Ohio, snow; fresh northeast to east winds.

Local Temperature.

The temperature yesterday as observed by C. Schepf, druggist, corner Market and Fourteenth streets, was as follows: 7 a. m. 21 3 p. m. 29 5 p. m. 27 8 p. m. 25 12 m. 27 Weather—Fair.